

ANNUAL WATERUSERS MEETING, Water District No. 1

Westbank Restaurant, Idaho Falls, Idaho

March 1, 1982

A G E N D A  
ORDER OF BUSINESS

9:00 a.m.

John Keys, Bureau of Reclamation  
"Federal Reservoirs, Operation, Maintenance  
and Existing Problems"

9:15 a.m.

Norm Young, Idaho Department of Water Resources  
"Idaho Department of Water Resources Update"

9:30 a.m.

Ted Diehl, "Legislative Committee Report"

10:00 a.m.

Roll Call  
Election of Temporary Chairman  
Election of Temporary Secretary  
Reading of Minutes of 1981 Meeting  
Credentials Committee Report  
Order of Business Report  
Selection of Committees  
Henry's Fork Dist. District No. 2  
Lower Valley Dist. District No. 3  
District No. 1 District No. 4  
(Main River to Lorenzo)  
Election of Committee of Nine

10:45 a.m.

Reed Oldham, Chairman Committee of Nine  
"Report of the Committee of Nine"

11:00 a.m.

Ronald Carlson, Watermaster  
"Financial Report of District"

11:20 a.m.

Leo Busch, Bureau of Reclamation  
"Water Supply Outlook for 1982"

11:40 a.m.

Lyle Swank, Assistant Watermaster  
"Water Supply & Distribution for 1981"

12:00 LUNCH BREAK

1:15 p.m.

Ronald Carlson, Watermaster  
"Report of the Watermaster"

1:45 p.m.

Resolutions and Election of Watermaster  
Unfinished Business  
New Business

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The 1982 Report of the Committee on Organization and Order of Business:

"We recommend that the temporary organization be made permanent and the following be adopted as the Order of Business of this meeting:

1. Roll Call of canals.
2. Appointment of a temporary organization.
3. Reading of minutes of previous meeting (omitting the resolutions.)
4. Recess for caucus and selection of committees.
5. Report of committees.
6. That the temporary organization be made permanent.
7. Election of Committee of Nine.
8. Financial Report of the District.
9. Resolutions.
10. Election of Watermaster.
11. Unfinished business.
12. New business.
13. Committee of Nine shall serve as a permanent resolution committee and anyone desiring to present a resolution is requested to present it to the Committee of Nine on or before their last meeting prior to Water District No. 1 general meeting.

1982 Report of Committee on Credentials:

"We, your Committee on Credentials, recommend the following for your consideration:

1. That the rights represented be determined by roll call in advance of voting. In addition, the officer authorized to vote on behalf of each organization, canal company, or irrigation district also be identified prior to voting.
2. That the companies or other organizations owning decreed or licensed consumptive rights shall be entitled to vote through their duly elected representative or by written proxy. Each stockholder or any company not represented by a duly elected officer or by written proxy shall be entitled to vote the stock held by them.
3. That non-consumptive rights not be recognized in voting.
4. That no person be elected to membership and service on the Committee of Nine, Committee on Organization and Order of Business, or Credential Committee unless he be a landowner and wateruser in the canal company or district which he represents during the term of his office.

## R E S O L U T I O N S

Water District No. 1  
March 1, 1982

1. That the watermaster continue to apply the best available methods and technology to better assure: more accurate deliveries of natural flow and stored water, improved regulation procedures, the availability of water supply and diversion records to the waterusers, and that all waterusers are charged for water deliveries on an accurate and equitable basis.

BE IT FURTHER RESOLVED that the watermaster proceed toward automated data collection where it can effectively reduce personnel costs, travel costs, or result in cost-savings to the waterusers through better and more current data.

2. That the waterusers of Water District No. 1 continue the cooperative program with the Idaho Department of Water Resources as outlined in the Memorandum of Understanding previously signed by the Chairman of the Committee of Nine and the Director of the Department of Water Resources.
3. We recommend that Ronald D. Carlson be re-elected watermaster for the ensuing year, including a staff of a deputy, assistant, and a clerk, with an aggregate salary of \$75,500.00. This amount represents the entire salary of the clerk, assistant, and deputy, and 67% of the salary of the watermaster. Thirty-three percent of the watermaster's salary and benefits shall be paid from non-water district funding provided by the Idaho Department of Water Resources.
4. That the duties of a watermaster shall begin on this date and continue for a period of one full year.
5. Proposed Budget for Water District No. 1 for the year beginning March 1, 1982.

### HYDROGRAPHERS

Teton Basin	6 mos. @	\$850 (+ miles)	\$5100
Idaho Falls	6 mos. @	900 (+ miles)	5400
Lower Valley	5 mos. @	850 (+ miles)	4250
Henrys Fork	7 mos. @	900 (+ miles)	6300
Falls River	150 days @	48 (inc. mi)	7200
Teton River	130 days @	48 (inc. mi)	6240
			<u>\$34,590</u>

### RIVER RIDERS

Heise Division	150 days @	\$ 60 (inc. mi)	\$9000
Blackfoot Division	100 days @	40 (inc. mi)	4000
Swan Valley	100 days @	35 (inc. mi)	3500
Upper Fall River	4 mos. @	200 (inc. mi)	800
South Leigh	200 days @	5 (inc. mi)	1000
Willow Creek	5 mos. @	550 (inc. mi)	2750
			<u>\$21,050</u>

Social Security (.0670)	\$ 6,325
Mileage (70,000 @ .20)	14,000
State Insurance Fund	1,200
Employment Insurance	1,200
Miscellaneous hydrographer expense	500
Part-time help	3,500
Streamgaging	17,125
Committee of Nine	<u>2,500</u>
	\$46,350

Watermaster & staff	
Salary & wages	\$75,500
Benefits	27,000
Computer	12,000
Watermaster report	1,000
Watermaster travel	1,200
Postage, supplies, rent, overhead, etc.	<u>15,880</u>
	\$132,580

Audit	<u>\$ 800</u>
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TOTAL . . . . . \$235,370

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6. WHEREAS, it is the watermaster's responsibility to assure the proper delivery of both natural flow and storage supplies to all waterusers, and;

WHEREAS, the normal cost of delivering water to many diversions is less than their normal assessments when based upon their total seasonal use of water;

NOW, THEREFORE, BE IT RESOLVED that the watermaster of Water District No. 1 is hereby authorized to assess a \$15.00 minimum charge for every diversion within its jurisdiction.

7. Resolved that the watermaster shall prepare a report in accordance with Idaho Code, Section 42-614, which shall become the official billing to the individual waterusers, canal companies, and irrigation districts, and is hereby authorized to collect all of the expenses of delivering the waters of the district, including his salary and that of his assistants, and shall make all disbursements necessary to the conduct of the business of administering and delivering the waters of the district.

Resolved that no ditch, canal company, or other waterusers shall have the right to demand and receive water, and the watermaster shall not deliver to such person until receipt of the amount due and payable from such user.

Resolved that copies of the minutes of the annual meeting, the budget as approved, all resolutions approved, and the report prepared in accordance with Section 42-614, shall be filed with the county clerks of Bonneville, Madison, Teton, and Fremont Counties.

8. WHEREAS, the Committee of Nine has been appointed by the Idaho Water Resource Board pursuant to Section 42-1765, Idaho Code, and;

WHEREAS, the watermaster of Water District No. 1 has traditionally acted on behalf of the Committee of Nine in leasing stored water within Water District No. 1, and;

WHEREAS, it is necessary to an orderly rental program that the watermaster continue to have the authority to act on behalf of the Committee of Nine;

THEREFORE, BE IT RESOLVED that for the purpose of renting water, the watermaster be considered a member of the Committee of Nine.

9. With the exception noted in Resolution No. 8, we recommend that the Committee of Nine be continued with nine regular members. The members representing the Burley and Minidoka Irrigation Projects are to be alternated between the two districts as they arrange. In addition, advisory members representing the Bureau of Reclamation, Teton Basin, Gooding Canal, A & B Irrigation, and a member from the Burley or Minidoka District; whichever is not currently represented on the regular committee be included. Any canal company or district desiring to have representatives attend meetings of the Committee of Nine should notify the watermaster, who will then advise them of dates and time of committee meetings so that they may have an opportunity to attend such meetings.
10. WHEREAS, it is in the best interest of the water-users of Water District No. 1 to account for all diversions which might adversely affect any prior natural flow or storage diversions;

BE IT RESOLVED that the watermaster shall collect records of water diversions during the entire year.

11. WHEREAS, the annual sale of stored water is the responsibility of the Committee of Nine, and;

WHEREAS, certain rules and regulations for the administration of the annual lease of reservoir space is essential to an orderly water banking process; now,

THEREFORE, BE IT RESOLVED that the following rules and regulations for administering storage rentals and sales be adopted.

Rule 1. A rental committee composed of three members of the Committee of Nine and the watermaster shall be appointed by the chairman for the following purposes:

1. To determine general policies regarding the annual rental of storage space and sales of water from this space which are not covered by the adopted rules and regulations.

2. To assist the watermaster in the allocation of water sold from the bank.

3. To consult with the watermaster on ways to most fully utilize available storage water.

4. To advise the Committee of Nine on water banking activities.

Rule 2. The operation of the "Water Bank" shall be consistent with the statutes creating the Water Supply Bank and the Rules and Regulations of the Water Resource Board.

Rule 3. Storage space is taken into the water bank on a contingency basis with payments to be made to the lessor only if the water is subsequently leased from the water bank.

Holders of space in Palisades Reservoir or in any other reservoir may notify the Upper Snake River Watermaster by July 1 of each year of reservoir space they designate as available for lease by the water bank for that year's irrigation season. All such holders will share proportionately in the proceeds from the sale of all or any part of the water offered by July 1 for use in that year.

Holders of space in Palisades Reservoir or other reservoirs who notify the Upper Snake River watermaster after July 1 of any year of reservoir space they desire to lease to the water bank for that year's irrigation season shall share proportionately in the proceeds from the sale of all or any part of the water sold which was designated for sale after July 1 of that year.

All of the water designated for sale before July 1 of any year will be sold before any water assigned to the bank on or after July 1 will be sold.

The lessor shall be entitled to receive payment for the percentage of his water sold from the water supply bank according to the following formula:

Definitions:

Sp = Space holder payback

Rc = Annual reservoir O & M + construction

A<sub>5</sub> = Five-year average total storage use

i = Inflation factor

C<sub>c</sub> = Average canal O & M

N<sub>5</sub> = Five-year average natural flow delivered

AF = Acre-feet sold

$$Sp = \frac{(Rc)}{A_5} + (C_c + i) \frac{A_5}{N_5} AF$$



Rule 4. Any water available through the water bank shall be provided on a priority according to the following priorities:

a. First priority in the rental of available reservoir space shall be given to those waterusers owning rights in the various storage reservoirs of the Bureau of Reclamation in the Snake River Basin above Milner Dam.

b. Second priority in the rental of available space shall be given to other irrigation waterusers in the areas of beneficial use described in the licenses issued by the State of Idaho for use of the waters from the storage reservoirs described in (a) above.

c. Priority among waterusers of each priority listed in (a) and (b) above and who execute leases to rent space during an irrigation season shall be determined by the date on which that wateruser's executed lease is received at the office of the Upper Snake River Watermaster at Idaho Falls, Idaho; the earlier in the year the executed lease is received by the watermaster, the higher priority in the priority group the entity will receive.

d. Any wateruser having once initiated a lease agreement may request water in subsequent years by confirming, in writing, that all of the information on the original lease is true and correct, and identifying the amount of water he wishes to lease.

e. Administrative charges adequate to defray the costs of the Committee of Nine and Water District No. 1 may be added to the lease price.

f. Any water not sold by August 15 may be provided to the highest bidder for such uses as may be determined beneficial by the Committee of Nine. Any sale of water which shall result in a price in excess of that calculated using the formula in Rule 3, plus administrative charges, shall be used for the general benefit of the waterusers in Water District No. 1.

12. WHEREAS, it is in the interest of all the waterusers to have the water rights within Water District No. 1 delivered according to the priority system, and;

WHEREAS, the accounting system now used by Water District No. 1 requires that each diversion have assigned to it a specific list of decreed, licensed, and storage entitlement, and;

WHEREAS, those diversions which have no record of water rights on file with the Department of Water Resources or the Water District Office will necessarily be taking storage water any time a diversion takes place.

NOW, THEREFORE, BE IT RESOLVED that no diversion shall be allowed to divert water unless the proper list of rights for that diversion are found in the watermaster's records or proper arrangements have been made to procure an adequate water supply prior to the start of the irrigation season.

## R E S O L U T I O N

WHEREAS, Title 42, Chapter 39 of the Idaho Code "declares the groundwater of this state to be a public resource which must be protected against unreasonable contamination or deterioration . . . ." and charges the Director of the Department of Water Resources with the responsibility for regulating waste disposal and injection wells, and;

WHEREAS, the state rules, regulations, and standards have been promulgated, which are compatable with existing federal EPA standards, and;

WHEREAS, it is consistent with present national policy that intrastate regulatory responsibilities be a state responsibility;

NOW, THEREFORE, BE IT RESOLVED that the Committee of Nine and Water District No. 1, meeting this first day of March, 1982, in regular annual session, urge the Federal Government of the United States to recognize primary control of underground injection being with the State of Idaho Department of Water Resources, and; further urge the legislature of the State of Idaho to provide adequate funds for the effective state regulation of waste disposal and injection wells.

Dated this \_\_\_\_\_ day of March, 1982.

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## R E S O L U T I O N

WHEREAS, the State of Idaho has a State Water Plan which has been adopted as a guide to future water resource development and management in the State of Idaho; and,

WHEREAS, Policy 21 of the State Water Plan proposes the protection of potential reservoir sites against land use changes which would reduce their future availability; and,

WHEREAS, the Lynn Crandall site has been designated in the State Water Plan as one of the potential reservoir sites which should be protected; and,

WHEREAS, the waterusers of Water District No. 1 have a vital interest in the preservation of all potential reservoir sites on the Upper Snake,

NOW, THEREFORE, BE IT RESOLVED that the waterusers of Water District No. 1 meeting in regular annual session this first day of March, 1982, urge the legislature of the State of Idaho and the Idaho Water Resource Board to develop an implementation plan for Policy 21 of the Idaho State Water Plan which will assure the protection of valuable potential reservoir sites, and particularly the location on the south fork of the Snake River known as the Lynn Crandall site.

Dated this \_\_\_\_\_ day of March, 1982.

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R E S O L U T I O N

WHEREAS, the Blackfoot River is a tributary to the Snake River; and,

WHEREAS, the water rights on the Blackfoot River were generally established earlier in time than those on the Snake River; and,

WHEREAS, the Snake River is administered by the watermaster of Snake River, Water District No. 1; and,

WHEREAS, transfers of water rights from one watermaster's jurisdiction to another will necessarily result in overlapping administration and probable injuries to other rights,

NOW, THEREFORE, BE IT RESOLVED by majority vote of the waterusers of Snake River, Water District No. 1, hereby request the Director of the Department of Water Resources adopt a general policy of disallowing all transfer requests which would result in a change in watermaster jurisdiction.

DATED this \_\_\_\_\_ day of March, 1982.

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## REPORT OF THE COMMITTEE OF NINE

The Committee of Nine has two major responsibilities. The original purpose of the Committee of Nine was to represent the various areas within the water district and act as advisors to the watermaster. The second responsibility of managing the Snake River Water Bank was officially given to the Committee of Nine in 1979. The full Committee of Nine met four times during 1981 and the various subcommittees met independently on several other occasions to deal with specific problems and issues.

In their capacity of local operating committee for the Upper Snake Water Supply Bank, the Committee of Nine has the responsibility of establishing policy and rules and regulations for the operation of the Water Supply Bank. The Committee of Nine has tried diligently to develop an orderly mechanism for handling water banking transactions. The first and primary concern of the committee has been the protection of all water rights. All of the policies and rules under which the Water Supply Bank operates have only been adopted after confirming that any risk is borne by the proper party. For example, last year before any commitments were made to sell water from the bank, the Committee of Nine received assurance from the Director of the Department of Water Resources that those entities who had supplied water to the bank would bear all of the risk for the space evacuated due to sales of water from the bank. One of the most difficult problems the Committee of Nine faced was the establishment of a method for determining the annual value of stored water. Several things were considered in setting the price for water available through the Water Supply Bank. First, the price must be adequate to serve as an incentive for companies to take the risk to provide water to the bank each year. Second, the process for determining the price should be orderly and consistent from year-to-year. Third, the price of water should be calculated based upon the space holders identifiable costs for owning the water. The Committee of Nine reviewed all of the goals and objectives previously mentioned and adopted an equation for calculating the price of water sold from the bank and the space holders payback. The Committee of Nine recognized that the price set for water in 1981 was substantially higher than it had been in the past; however, it was the feeling of the committee that even at \$2.30 an acre-foot it is substantially cheaper than water available in other projects. Probably more important, if the formula used for calculating the value of rental water represents a fair assessment of space holder costs; space holders are entitled to recover their costs in return for making their unused supplies available to others.

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During 1981, 168,691 acre-feet of water was provided for lease through the Water Supply Bank. By the end of the season, 149,559 acre-feet of water had been requested from the bank. We anticipate that the remainder of the water supplied will go to offset deficits that were incurred primarily during the month of September, 1981.

So far the Water Supply Bank has received payments of \$344,761.50 and has dispersed to the various space holders \$243,406.00. The Water District No. 1 improvement fund presently has \$66,786.00. The Committee of Nine has committed funds to install automatic headgate controls on two of the Great Feeder headgates. The Fremont Madison Irrigation District has installed computer equipment which will be used to reduce the time it takes for the watermaster to obtain required daily diversion data from the Henry's Fork area. The Committee of Nine has committed \$200.00 a month, for the next two years, to assist Fremont Madison in purchasing this equipment and to compensate them for the services provided to the water district.

The Committee of Nine is proud of the system that has been implemented in Water District No. 1 to assure the proper distribution of available natural flow and storage supplies. As far as we can determine there is no comparable system in existence any where else in the world. The Upper Snake Water Bank is also unique and is an item of great interest to many other areas in the western United States. The Committee of Nine will continue to work to improve Upper Snake water supplies and the distribution system.

Under present federal policy we see a real need for the State of Idaho to generate front-end money if there are to be additional reclamation projects in the state. We are concerned with the groundwater development in the State of Idaho and the impact that this development and further development will have on surface water rights. It is obvious that existing statutes need to be changed to allow the Director of the Department some additional discretion in issuing further water rights. It is also essential that the department have the ability to make necessary investigations to provide adequate assurance that further development can take place without injury to existing water rights.

The Committee of Nine is also concerned about out-of-state demand for Snake River water. Downstream states have large sums of money available for developing water projects. We believe that it is vital for Idahoans to work together to assure that development of available water supplies happens for the benefit of this state. This can only be done if regionalism is removed as a stumbling block to the development and use of available water supplies. The Committee of Nine tries diligently to represent all of the waterusers of Water District No. 1. As your representatives, we want you to be aware that Committee of Nine meetings are open to anyone interested in attending and we appreciate your advice and counsel.

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ACCOUNTING BALANCE

Cash Receipts

Beginning Bank Balance 2/27/81	\$ 12,280.08
Security Savings + Interest	29,798.01
Cash Receipts	580,171.45
Interest from saving certificate	7,818.34
Interest from checking account	<u>1,394.54</u>
	\$ 631,462.42
Accounts Payable	<u>438,478.59</u>
	\$ 192,983.83
Timed Certificates in Reserve	<u>190,000.00</u>
Bank Balance as of 2/27/82	\$ 2,983.83



# WATER DISTRICT NO. 1

February 27, 1932

	<u>BUDGETED</u>	<u>SPENT</u>
<u>Hydrographers</u>		
Teton Basin	\$ 4,800	\$ 4,508.58
Idaho Falls	4,250	4,536.75
Lower Valley	4,250	1,442.81
Henrys Fork	5,400	8,973.59
Falls River	6,750	4,788.84
Teton River	<u>5,850</u>	<u>3,276.58</u>
	\$31,300	\$27,527.15
 <u>River Riders</u>		
Heise & Rigby Div.	\$ 7,500	\$ 7,104.49
Blackfoot Div.	4,000	4,872.41
Swan Valley	3,500	1,086.37
Upper Fall River	780	1,232.57
South Leigh	1,000	---
Willow Creek	<u>2,750</u>	<u>2,567.12</u>
	\$19,530	\$16,862.96
Social Security	\$ 5,760	\$ 5,724.72
Mileage	14,000	11,868.56
State Insurance Fund	1,200	1,368.34
Employment Insurance	1,260	1,072.87
Misc. Hydrographer Expense	500	162.29
Part-time help	3,500	2,121.27
Streamgaging	15,110	15,110.00
Committee of Nine	<u>2,500</u>	<u>1,198.38</u>
	\$ 43,830	\$38,626.43
Watermaster & Staff		
Salary & Wages	\$ 64,000	\$54,882.57*
Benefits	16,500	13,065.88*
Leave Account	5,000	7,684.27*
Computer Cost (through Dec.)	12,000	7,271.63*
Watermaster Report	1,000	---
Watermaster travel	1,200	394.20
Postage, supplies, telephone		
copying costs, etc.	14,160	5,861.85
Richard Hale, Audit	<u>---</u>	<u>800.00</u>
	\$ 113,860	\$89,960.40
Total. . . . .	<u>\$ 208,520</u>	<u>\$172,976.94</u>

\*IDWR-WR Coop forwarded \$105,000.

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DISBURSEMENTS FROM March 1, 1981 to February 27, 1982

Shelley gage telephone	188.10
Office Postage	2,697.00
IBM	1,067.60
Water District & Water Resource Coop	105,000.00
Employment Insurance	1,072.87
Social Security (hydrographers)	5,724.72
State Insurance Fund	1,368.34
Streamgaging	15,110.00
Office Expense	944.08
Miscellaneous Expense	1,517.15
Committee of Nine	1,198.38
Westbank & Littletree Inn	247.92
Watermaster & staff/travel & expense	364.20
Watermaster bond	30.00
Rental pool refunds & payments - 1981	243,406.00
Bitton, Dennis (\$1,086.37 net wage)	1,086.37
Blanchard, Gail (\$3,276.58 net wage)	3,276.58
Blauer, Harold (\$1,442.81 net wage, \$697.50 mileage, \$94.70 misc. expense)	2,235.01
Brown, Lucy M. (\$2,044.12 net wage, \$1,460.00 auto hire)	3,504.12
Brown, Wilbur (\$2,100.37 net wage, \$1,500.00 auto hire)	3,600.37
Carl, Richard (\$251.96 net wage)	251.96
Garrett, Sam B. (\$4,788.84 net wage)	4,788.84
Johnson, Anne M. (\$840.14 net wage, \$116.64 mileage, \$1.20 misc. expense)	957.98
Larson, Arthur L. (\$917.17 net wage \$72.18 mileage)	989.35
Lenz, Viola (\$595.07 net wage, \$637.50 auto hire)	1,232.57
Morgan, Gerald (\$28.00 net wage)	28.00
O'Brien, Dee (\$4,508.58 net wage, \$2,280.60 mileage, \$45.19 misc. expense)	6,834.37
Richards, Val (\$8,973.59 net wage, \$6,442.50 mileage)	15,416.09
Simmons, Gregory (\$84.00 net wage)	84.00
Smith, Verall (\$2,352.41 net wage, \$2,520.00 auto hire)	4,872.41
Steele, James B. (\$2,567.12 net wage)	2,567.12
Wright, W. Lee (\$4,536.75 net wage, \$2,259.14 mileage, \$21.20 misc. exp.)	6,817.09

TOTAL \$ 438,478.59

COSTS FROM 2-01-81 to 1-31-82

WATER DISTRICT - WATER RESOURCE COOP ACCOUNT

Funds Transferred	\$ 105,000.00
Balance Owed Coop Funds 3/81	<u>5,016.42</u>
	\$ 99,983.58

Watermaster & Staff		
Salary & Wages	\$ 54,882.57	
Benefits	13,065.88	
Print Shop	82.09	
Data Processing	7,271.63	
Capital Outlay	<u>148.85</u>	
		\$ 75,451.02
		\$ 24,532.56
Auditor's Overhead Charge		<u>2,240.00</u>
		\$ 22,292.56
Indirect Charges		<u>11,779.98</u>
		\$ 10,512.58
Leave Factor		<u>7,684.27</u>
		\$ 2,828.31

## R E S O L U T I O N

BE IT RESOLVED by Water District No. 1 meeting this 1st day of March, 1982, that the Bureau of Reclamation be encouraged to do those things necessary to effect the replacement of Jackson Lake Dam at the earliest possible date; and,

BE IT FURTHER RESOLVED that copies of this resolution be sent to members of the Idaho Congressional Delegation and the Secretary of Interior.

Unanimously adopted this 1st day of March, 1982.

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R E S O L U T I O N

WHEREAS, the Committee of Nine has supported legislation to allow Water District No. 1 to meet on a date other than the first Monday in March; and,

WHEREAS, S.B. 1247 has passed the Idaho State Legislature and has been signed by the Governor and allows the District to change by resolution the date for the annual meeting in the next subsequent year to any weekday except Saturday between the second Monday of January and the third Monday in March; and,

WHEREAS, it is the desire of the members of Water District No. 1 here assembled to set an alternate date for their annual meeting in 1983;

NOW, THEREFORE, BE IT RESOLVED by the members of Water District No. 1, meeting this first day of March, 1982, in regular annual session, that the 1983 annual meeting be held on March 1, 1983, (the first Tuesday in March of 1983), and the Watermaster be directed to give appropriate notices thereof.

Dated this \_\_\_\_\_ day of March, 1982.

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RESOLUTION # \_\_\_\_\_

AT THE REQUEST of the Idaho Department of Parks and Recreation, consideration is being given to the establishment of a 300 second feet minimum stream flow from the junction of the Henry's Fork of the Snake River and the Buffalo River to a point one mile below Mesa Lower Falls;

AND WHEREAS: The average uninterrupted flow of the Buffalo River is now available for fish and wildlife, recreation and scenic beauty;

AND WHEREAS: The establishment of any minimum stream flow in this stretch of the Henry's Fork of the Snake River could prove detrimental to the water users who at great sacrifice and cost have purchased space in the Island Park Reservoir for the purpose of storing winter water to be used as supplemental water during the irrigation season;

AND WHEREAS: The establishment of a minimum stream flow could greatly influence the judgement of the river watermaster as to the amount of water to store and the amount to release from the Island Park Reservoir;

AND WHEREAS: The need of a 300 second feet flow in this stretch of the Henry's Fork of the Snake River cannot be justified for fish or wildlife, recreation or for scenic beauty;

THEREFORE BE IT RESOLVED: That the irrigators of Water District #1 go on record this 1st day of March, 1982, as being opposed to the establishment of any minimum stream flow by the Water Resources Board between the junction of the Henry's Fork of the Snake River and the Buffalo River to a point one mile below the Lower Mesa Falls on the Snake River.

*Donald R. Trapp*

## R E S O L U T I O N

WHEREAS, on the 2nd day of May, 1969, the Fremont-Madison Irrigation District entered into a repayment contract with the United States of America for a supplemental water supply known as First Phase, and also a water supply for new lands within the District, known as the Second Phase, such water supply to be provided by means of a dam and reservoir and other works known as the Teton Division of the Teton Basin Federal Reclamation Project, and

WHEREAS, on the 5th day of June, 1976, construction of the dam and reservoir has been nearly completed and water was being impounded back of the dam and the Teton Dam had filled within a few feet of its capacity, and

WHEREAS, on the 5th day of June, 1976, the Teton Dam breached, releasing the stored water and destroying the dam and other works pertaining to the project, and

WHEREAS, the Fremont-Madison Irrigation District has been informed by representatives of the United States Bureau of Reclamation that the government has conducted studies of the dam site and the construction of the dam, and the need for the water supply impounded by the dam since the breach June 5, 1976, and has determined that it is possible to build a safe dam at the present dam site and that the need for the project is greater at this time than it was when this multi-purpose project was authorized,

NOW, THEREFORE, BE IT RESOLVED by this Assembly representing the water users of the Upper Snake River area of Idaho, that the U. S. Government immediately commence reconstruction of the Teton Dam.

BE IT FURTHER RESOLVED that copies of this Resolution be sent to Water District No. 1, of the Department of Idaho Water Resources, requesting that this resolution be adopted at the meeting of the water users March 1, 1982, in Idaho Falls, Idaho; that a copy also be sent to each member of Idaho's Congressional Delegation; to the Honorable James G. Watt, Secretary of Interior, and to the U.S. Commissioner of Reclamation.

/s/ Donald D. Trupp

P.



RECEIVED

APR 19 1982

Department of Water Resources

April 16, 1982

RE: WATER DISTRICT NO. 1

Ronald D. Carlson, Watermaster  
150 Shoup  
Idaho Falls, Idaho 83402

Dear Sir:

Your CERTIFICATE OF APPOINTMENT is enclosed herewith. You will, therefore, take charge of the waters of such district and distribute the same in accordance with the law and the decrees of the courts to the various users in such district in accordance with the terms and conditions of their respective rights, and perform such other duties as may be required by the Department of Water Resources, under the laws of the State of Idaho, and you are hereby requested to assume your duties at once and continue thereat until the necessity therefore shall cease.

Please feel free to call upon this office whenever we can be of assistance to you. We shall have a personal interest in the success of your year's work and desire to keep in as close touch with you as conditions will permit.

Respectfully submitted,

ERNEST CARLSEN  
Assistant Regional Supervisor

EC:cw:brs

Enclosure: Certificate

cc: IDWR - State Office

P.





STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
EASTERN REGION

John V. Evans  
Governor

A. Kenneth Dunn  
Director

150 Shoup  
Idaho Falls, Idaho 83401  
(208) 525-7161

April 16, 1982

Ronald D. Carlson  
150 Shoup Avenue  
Idaho Falls, Idaho 83402

Dear Ron:

Enclosed herewith is your CERTIFICATE OF APPOINTMENT as Special Deputy to administer the released and stored waters of the lakes and reservoirs in your district, as set forth in Section 42-801 and 42-802, Idaho Code.

Please feel free to call upon this office whenever we can be of assistance to you.

Very truly yours,

ERNEST M. CARLSEN  
Asst. Regional Supervisor

EMC:brs

enc: Certificate of Appointment

cc: IDWR - State Office  
Don Tracy  
Bureau of Reclamation  
1359 Hanson  
Burley, Idaho

*Jim Johnson*

RECEIVED

APR 19 1982

Department of Water Resources

P.

\* Jackson Lake Reservoir  
Grassy Lake Reservoir  
Island Park Reservoir  
Palisades Reservoir  
American Falls Reservoir

STATE OF IDAHO

## DEPARTMENT OF WATER RESOURCES

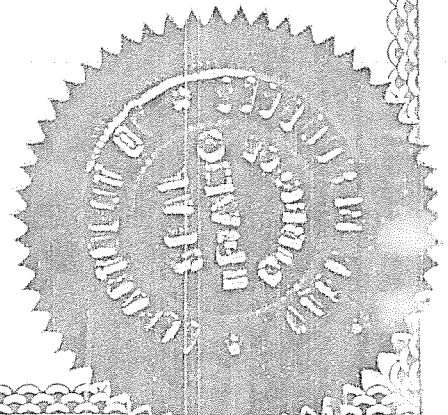
# CERTIFICATE OF APPOINTMENT

RECEIVED  
APR 19 1982  
Department of Water Resources

This is to certify that I have this day appointed RONALD D. CARLSON as  
\*SPECIAL DEPUTY of DELIVERY OF STORED WATERS for  
the 1982 IRRIGATION SEASON \_\_\_\_\_ or until his successor is appointed and qualified  
under the provisions of Section 42-801, Idaho Code, at such rate of compensation as established by  
applicable law.

This certificate has been issued and the seal of the  
Director affixed at Boise, Idaho this 16th  
day of APRIL 19 82

*[Signature]*



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

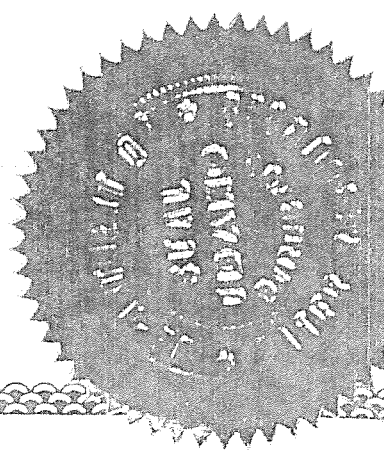
CERTIFICATE OF APPOINTMENT

This is to certify that I have this day appointed RONALD D. CARLSON as  
WATERMASTER of WATER DISTRICT 01 for  
the 1982 IRRIGATION SEASON \_\_\_\_\_ or until his successor is appointed and qualified  
under the provisions of Section 42-608, Idaho Code, at such rate of compensation as established by  
applicable law.

This certificate has been issued and the seal of the  
Director affixed at Boise, Idaho this 16th  
day of APRIL, 1982.

*[Signature]*

RECEIVED  
APR 19 1982  
Department of Water Resources





# United States Department of the Interior

BUREAU OF RECLAMATION  
XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX  
PACIFIC NORTHWEST REGION  
FEDERAL BUILDING & U.S. COURTHOUSE  
BOX 018-550 WEST FORT STREET  
BOISE, IDAHO 83721

IN REPLY  
REFER TO PN 430

870.

NOV 19 1982

Mr. A. Kenneth Dunn  
Department of Water Resources  
State Office  
450 West State Street  
Boise, Idaho 83720

Dear Mr. Dunn:

This letter is per our discussion with your staff on September 8, 1982, in which a review was made of the Minidoka Project water rights. The discussion was primarily concerning the present Idaho Department of Water Resources (IDWR) interpretation of the Foster Decree as related to water rights of the Minidoka Project (presently the Minidoka and Burley Irrigation Districts). This interpretation is of interest to the United States, which holds in trust the Idaho State water rights for these Federal projects constructed under the Reclamation Act.

Various procedural changes were undertaken by the IDWR in 1978 with improved computerized water recordkeeping. One of the procedural changes which occurred was in crediting gain and loss of water in that reach of the Snake River between the Neeley Gage and Milner Dam. The IDWR personnel had assured that such interpretational changes were not injurious to the Minidoka Project water rights by comparison analysis of 1977 water year. However, the Minidoka Project office has found that the current accounting procedure results in a substantial reduction in credits to the Minidoka Project waterusers which, we believe may be contrary to the Foster Decree.

Interpretations of the Foster Decree by the Bureau and the Department have resulted in some differences which we believe need to be resolved. A review of the Foster Decree by our Field Solicitor's office and the State Attorney General's office would be helpful in resolving these differences of interpretation. We believe the basic questions to be answered are:

1. Is Lake Walcott part of the Minidoka Project when applying the Foster Decree to the calculation of the gain or loss in the Snake River to be credited to the Minidoka Project?
2. Which gaging stations should be used to calculate the credit to be applied to the Minidoka Project under the Foster Decree?

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A chronology of references and court reviews surrounding the Foster Decree will be available for the Field Solicitor and the Attorney General's offices if so desired.

The computer has enabled the watermaster to maintain better control of the river for delivery of all stored and natural flow waters. Our primary interest is to assure all parties concerned that the model is allocating the waters properly.

Please contact this office if we may be of any assistance to you regarding the Foster Decree Review. We would propose a meeting between our organizations once the Decree has been reviewed by our respective legal organizations. Hopefully, this can be done prior to the 1983 irrigation season.

Sincerely yours,

JOHN W. KEYSER

ACTING

Regional Director

cc: Field Solicitor  
Project Superintendent, Burley, Idaho

bc: 420, 760

EThomas/LBusch?RAllen:rmf 11-10-82